

TOWN MANAGER
Ken Deal

TOWN CLERK
Pamela Mills

TOWN ATTORNEY
Tom Brooke



MAYOR
Charles Seaford

TOWN COUNCIL
Don Bringle
Arthur Heggins
Brandon Linn
Rodney Phillips
Steve Stroud

**CHINA GROVE PLANNING BOARD MEETING
ELECTRONIC MEETING
Minutes of Regular Meeting
Tuesday, August 11, 2020**

The China Grove Planning Board met electronically on Tuesday, August 11, 2020 at 6:00 PM at the China Grove Town Hall, 333 North Main Street, China Grove, North Carolina.

Planning Board Members Virtually Present: David Morton, Chairman
Butch Bivens, Vice Chairman
Brie Bivens-Hager
Rodney Phillips
Jason Hinson
Jason Higgins

Planning Board Members Absent: Natalie Morgan

Staff Virtually Present: Pamela Mills, Town Clerk
Franklin Gover, Assistant Town Manager

Visitors Virtually Present: Terri Thomas, Doug Goodman, Jamey Basinger, Jo Turrentine Sorrell, Arthur Heggins

Roll Call and Recognition of Quorum

Chairman Morton called the meeting to order at 6:00 PM. The presence of a quorum was recognized at that time.

Approval/ Corrections of Minutes

Mr. Hinson made the motion to approve the March 13th, 2020 minutes. Mr. Phillips seconded the motion, which carried unanimously.

Adoption of Agenda

Mr. Phillips made the motion to adopt the agenda. Mrs. Bivens-Hager seconded the motion, which carried unanimously.

Public Comment

None

Courtesy Hearings

333 N Main Street, China Grove, NC 28023 | Phone (704) 857-2466 | Fax (704) 855-1855

"In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, age, disability, religion, sex, familial status, sexual orientation, and reprisal. (Not all prohibited bases apply to all programs)."

Please Note: Due to the current State of Emergency no Board action on public hearing items will occur if a virtual meeting is used to conduct the public hearing. The item will be continued and the public will have 24 hours from the end of the meeting to provide comments on the public hearing item.

2020-Z-03, 2020-CUP-03 Gable Properties – General and Trades Contracting

Mr. Gover stated the applicant, Ben Gable is requesting a rezoning from Suburban Residential Conditional Use District to Highway Business Conditional Use District on Rowan County Parcel 118A02001 & 118A021 to allow a general contracting and trades contracting use. He stated this is a change of use from the wise marina company that has been vacant for some time. He stated the Parcel is located at 1120 W NC 152 HWY and is 1.27 acres. He stated there are multiple businesses based in the building but the contracting uses should be considered the primary use. He stated a Courtesy hearing for 2020-CUP-03 will immediately follow the rezoning hearing.

Mr. Gover stated procedures are different for a virtual meeting. He stated he will give the staff report, he will answer questions from the board, if the applicant joins the meeting and would like to speak then he can, we will open the Courtesy Hearing and take comments from the public. He stated we will recess the hearing until Thursday, August 13, 2020 at 6:00 PM. He stated on Thursday we will read any written comments submitted to the Town Clerk and close the hearing. He stated at that time the Board will be able to deliberate and vote on the case.

He stated the parcels follow Pleasant Village Lane and Hwy 152. He stated the area is zoned single family residential with Millers Grove to the south. He stated looking at the Land Use Plan no commercial uses are mentioned in this area. He stated it is Suburban Residential future land use area and would amend the LUP if approved. He stated the LUP needs to recognize existing commercial development and potential commercial development along major thoroughfare roads. He stated you will have to decide if the minimum requirements of the ordinance make this use compatible with the area. He stated improvements to the site include Eastern Red Buds to meet the Type C screening requirements. He stated the applicant proposing using the existing asphalt with new striping for parking. He stated Type A screening is required along Pleasant Village Lane and to the west of the building since he plans to store work vehicles in the rear of the property. He stated he is proposing Green Giants. He stated Type B screening is required along the outside of the parking area and he is proposing Indian Hawthorns. He stated the applicant shows a dumpster enclosure for future use. He stated no structural changes are proposed to the building but the mirrored tented glass is not permitted and will need to be removed. He stated on July 30, 2020 mailed notices were sent and the property notice was posted. He stated NCDOT has required a Driveway Permit to be submitted.

Mr. Bivens asked if there is an existing driveway off of HWY 152. Mr. Gover stated the driveway access is off of Pleasant Village Lane there would not be a new driveway off of HWY 152.

Chairman Morton asked on the left side of the property there is a concrete wall, is that the property line. Mr. Gover stated looking at the survey there is five to six feet past the wall before the property line. Chairman Morton asked is there a requirement for buffering at the wall to the resident beside the building. Mr. Gover stated it can be added as a condition in the motion if needed. Chairman Morton asked is there a requirement for a shade tree in the parking lot and if the tree could be placed at the fence corner. Mr. Gover stated we can make that change to the plan.

Mr. Hinson asked how long the marina has been shut down. Mr. Gover stated the property was for sale for a good while. Mr. Hinson asked if the mirror tent will need to be listed in the conditions. Mr. Gover stated it is not permitted but you could recommend to remove the mirror tent in the conditions.

Chairman Morton opened the courtesy hearing.

Jamey Basinger – 545 Pleasant Village Lane - He stated he lives at the end of Pleasant Village Lane and has lived on the road for 44 years. He stated Wisers Marina was an institution in the community. He stated the property owner has done a great job in cleaning up the property and doing improvements. He stated he has kept the noise down and he is supportive of this business.

Jo Turrentine Sorrell – 1140 W NC 152 HWY - She stated her mother has lived at 1140 W NC 152 HWY for 68 years which is to the left of these parcels. She asked if they can run any business at this property or will it just be this one use. Mr. Gover stated the process is very specific and can only be the businesses that we are allowing. He stated anything they would want to do outside this approval would require another public hearing.

No written comments were submitted before the meeting.

Chairman Morton recessed the courtesy hearing until Thursday, August 13th, 2020 at 6:00 PM to allow for the 24-hour written public comment requirement.

Chairman Morton asked if the Leland Cypresses would run along the unopened right of way. He asked if for some reason the right of way would open would the trees need to be taken out. Mr. Gover stated looking at the survey and fence line he is not sure. Chairman Morton stated if the right of way was to be taking out then we would lose that buffer. Mr. Gover stated a condition could be added that states for any reason the type a screening becomes insufficient then it would need to be repaired.

2020-CUP-04 Center Stage Dance Expansion

Mr. Gover stated the applicant is requesting a conditional use permit for a new addition to Center Stage Dance Company located at 150 South Bostian Street. He stated this one the zoning stays intact. He stated we had a text amendment in 2017 to address this use and an Office and Institutional zoning district. He stated the total areas is 1.97 and is zoned Office and Institutional. He stated the new addition is 7,672 sq. ft. and includes increase instruction and storage space. He stated a covered pick-up/drop-off canopy will be added to the front of the existing structure. He stated the applicant is proposing to increase the parking area by 11,108 sq. ft.

Mr. Gover stated procedures are similar to the case above. He stated he will give the staff report, he will answer questions from the board, Mr. Basinger speaks if he wants to, we will open the Courtesy Hearing and take comments from the public. He stated we will recess the hearing until Thursday, August 13, 2020 at 6:00 PM. He stated on Thursday we will read any written comments submitted to the Town Clerk and close the hearing. He stated at that time the Board will be able to deliberate and vote on the case.

He stated Kings Eye Center is to the right of the property and the Post Office is to the left. He stated the vegetation and elevation on this parcel provides a buffer. He stated this project is located within the WS-IV Cold Water Creek Protected Area which limits the development area to 36%. He stated the maximum built upon area is .51 acres. He stated the proposed addition takes it up to the maximum built upon area. He stated no Type A screening is required. He stated Type B screening is required around the parking lot. He stated the applicant is proposing five canopy trees to meet the requirement for Type C screening. He stated the applicant is proposing a total of 47 parking spaces. He stated the Office and Institutional use promotes walkability from residential areas. He stated the UDO regulates the appearance and materials of commercial buildings. He stated 75% must be stone, stucco, or other masonry materials or similar appearance and durability. He stated the proposed materials do not meet the ration required and the

Planning Board and Town Council must consider an alternative method of compliance. He stated the new addition brings the ratio up to 30% doors and windows.

Chairman Morton asked if there is an existing sidewalk. Mr. Gover stated yes there is a sidewalk down Bostian Street.

Mr. Bivens asked if there is a 12-foot space between the building and property line. Mr. Gover stated the side setbacks are zero in the Office and Institutional zoning district. Mr. Bivens asked if emergency vehicles or dumpster vehicles to get to the back of the property. Mr. Gover stated 12-foot is our minimum requirement. He stated 12-foot is the requirement for six parking spaces. He stated if there were more spaces 24-foot would be the minimum.

Mr. Gover stated on the elevation the material is split face block. Chairman Morton asked if it was a light tan in color. Jamey Basinger stated he believe it is, the intent was to match the earth tones of the existing building.

Mr. Basinger stated the number one goal is to make it not look like an addition. He stated the canopy is both functional and breaks up the long expansion and give depth to the building.

Chairman Morton opened the courtesy hearing.

No written comments were submitted before the meeting and no comments from the public were made during the meeting.

Chairman Morton recessed the courtesy hearing until Thursday, August 13th, 2020 at 6:00 PM to allow for the 24-hour written public comment requirement.

Adjourn

Mr. Phillips made the motion to adjourn. Mrs. Bivens-Hager seconded the motion, which was carried unanimously.

David Morton
Chairman

Pamela L. Mills, CMC
Town Clerk